

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

BECKLEY DIVISION

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	:	
In re MASSEY ENERGY CO.	:	Civil Action No. 5:10-cv-00689-ICB
SECURITIES LITIGATION	:	
	:	ECF CASE
	:	
-----X	:	

**STIPULATION**

It is hereby stipulated and agreed between lead plaintiff Commonwealth of Massachusetts Pension Reserves Investment Trust, plaintiff David Wagner, and defendants Alpha Appalachia Holdings, Inc. f/k/a Massey Energy Company, Don L. Blankenship, Baxter Philips, Jr., Eric B. Tolbert, J. Christopher Adkins, Richard M. Gabrys, Lady Barbara Thomas Judge, E. Gordon Gee, Dan R. Moore, James B. Crawford, Robert H. Foglesong and Stanley C. Suboleski (collectively "Defendants") that the time within which Defendants may answer the Consolidated Amended Class Action Complaint for Violation of the Federal Securities Laws is extended to and including July 16, 2012.

Stipulated and agreed this 13th day of June, 2012.

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